

JACOBSON, RUSSELL, SALTZ, NASSIM & DE LA TORRE, LLP  
1800 Century Park East, Suite 900  
Los Angeles, California 90067  
Tel. 310.446.9900 • Fax 310.446.9909

**JACOBSON, RUSSELL, SALTZ, NASSIM & DE LA TORRE, LLP**

Michael J. Saltz, Esq. SBN 189751  
msaltz@jrsnd.com  
Colby A. Petersen, Esq. SBN 274387  
cpetersen@jrsnd.com  
1880 Century Park East, Suite 900  
Los Angeles, CA 90067  
Telephone: (310) 446-9900  
Facsimile: (310) 446-9909

Attorneys for Defendant ON-SITE MANAGER, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MICHAEL JOHNSON,

Plaintiff,

vs.

ON-SITE MANAGER, INC.,

Defendant.

Case No.: 5:15-CV-04409-BLF

**DECLARATION OF MICHAEL J. SALTZ  
IN SUPPORT OF DEFENDANT ON-SITE  
MANAGER, INC.'S MOTION FOR  
SUMMARY JUDGMENT**

**Complaint filed: September 23, 2015**

**First Amended**

**Complaint filed: January 5, 2016**

**Trial Date: January 8, 2018**

**Hearing Date: August 24, 2017**

**Time: 9:00 a.m.**

**Courtroom.: 3**

**Judge: Hon. Beth Labson  
Freeman**

**DECLARATION OF MICHAEL J. SALTZ**

I, Michael J. Saltz, do declare:

1. I am over the age of eighteen, a partner in the law firm of Jacobson, Russell, Saltz, Nassim & de la Torre, LLP and counsel for Defendant On-Site Manager, Inc. ("On-Site") in the above-captioned matter. I make this declaration based upon first-hand personal knowledge of the facts set forth below and if called upon to testify as a witness, I could and would testify competently thereto under oath.

2. Attached to the Appendix of Exhibits as **Exhibit “1”** is a true and correct copy of documents JOHNSON 1-5 produced by Plaintiff Michael Johnson purporting to be River Pointe’s internal printout of a preliminary report, inclusive of River Pointe’s modifications thereto.

3. Attached to the Appendix of Exhibits as **Exhibit “2”** is a true and correct copy of documents JOHNSON 6-19 produced by Plaintiff Michael Johnson which are documents that Michael Johnson sent to On-Site through River Pointe Apartments as evidence of his claim that he had not been a party to a civil action for possession in any case reported by LexisNexis.

4. Attached to the Appendix of Exhibits as **Exhibit “3”** is a true and correct copy of River Pointe Apartment’s version of the Final Report containing the inquiry date June 9, 2015 on top of the report and inclusive of River Pointe’s additions thereto.

5. Attached to the Appendix of Exhibits as **Exhibit “4”** is a true and correct certified copy of the entirety of the Sacramento Superior Court’s court file in Case No. 10UD10966, titled *Lefever Mattson, Inc., v. Breanno Phillips and Michael Johnson*.

6. In this matter, Plaintiff has failed to designate any expert witnesses or any other competent fact witnesses in their Rule 26 disclosures to establish any of the elements of their claim. A true and correct copy of Plaintiff’s operative Rule 26 disclosure is attached to the Appendix of Exhibits as **Exhibit “5”**.

I declare under the penalty of perjury of the United States of America that the foregoing information is true and correct.

Dated: July 20, 2017

/s/ Michael J. Saltz

Michael J. Saltz